

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN

AUG 2 - 2001

USA

Plaintiff

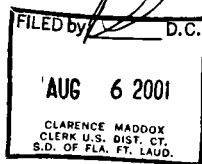
Case No. 2:01-m-80664

v.

00-6360 CR
WPD

Rodriguez

Defendant



To: Southern District of Florida

The above entitled case is being returned to your court pursuant to the enclosed order.

Included with this notice are certified documents and a certified copy of the docket sheet.

Please acknowledge receipt on the additional copy of this notice by timestamping it and returning it to:

United States District Court
Clerk's Office
Theodore Levin United States Courthouse
231 West Lafayette
Detroit, Michigan 48226

Lolita Granger

Deputy Clerk

CERTIFICATE OF MAILING

I hereby certify that a copy of this notice was mailed to the addressee(s) listed below by ordinary mail on August 1,

Keith E. Corbett, Esq.
United States Attorney's Office
211 W. Fort Street
Suite 2001
Detroit, MI 48226-3211

Federal Defender's Office, Esq.

272

2255 Penobscot Building
Detroit, MI 48826

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

EDUARDO VILAHU RODRIGUEZ,

Defendant.

**ORDER HOLDING DEFENDANT TO
ANSWER AND TO APPEAR IN DISTRICT OF
PROSECUTION OR DISTRICT HAVING
PROBATION JURISDICTION**

CASE NO. 01-

ORIGINATING NO. 00-6360CR

01-80664

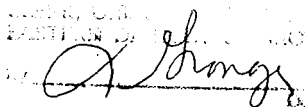
WPD

The defendant having appeared before this court pursuant to Fed. Crim. Pro. R.40 and the proceedings having been concluded with the defendant being released;

IT IS ORDERED that the defendant be held to answer in the United States District Court for the Southern District of Florida; and shall appear at all proceedings as re'quired. The defendant shall next appear at the United States District Court for the Southern District of Florida located at 299 E. Broward Blvd., Ft. Lauderdale, FL on August 10, 2001 at 11:00 a.m before the Honorable Barry S. Seltzer.


DONALD A. SCHEER
United States Magistrate Judge

Dated: 7/27/01

FILED
AUG 10 2001
U.S. DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
Ft. Lauderdale


UNITED STATES OF AMERICA

CRIMINAL ACTION:

01-80664

vs.

HONORABLE: _____

Eduardo Rodriguez
DefendantMAGISTRATE JUDGE: Scheer

APPEARANCE BOND

I, the undersigned defendant, acknowledge that I and my personal representatives, jointly and severally, are bound to pay to the United States of America the sum of

\$ 10,000Ten Thousand

The conditions of this bond are that the defendant (named in the above caption), is to appear before this court and at such other places as the defendant may be required to appear, in accordance with any and all orders and directions relating to the defendant's appearance in this case, including appearance for violation of a condition of defendant's release as may be ordered or notified by this court or any other United States District Court to which the defendant may be held to answer or the cause transferred. The defendant is to abide by any judgment entered in such matter by surrendering to serve any sentence imposed and obeying any order or direction in connection with such judgment.

It is agreed and understood that this is a continuing bond (including any proceeding on appeal or review) which shall continue until such time as the undersigned is exonerated.

If the defendant appears as ordered or notified and otherwise obeys and performs the foregoing conditions of this bond, then this bond is to be void, but if the defendant fails to obey or perform any of these conditions, payment of the amount of this bond shall be due forthwith. Forfeiture of this bond for any breach of its conditions may be declared by any United States District Court having cognizance of the above entitled matter at the time of such breach and if the bond is forfeited and if the forfeiture is not set aside or remitted, judgment may be entered upon motion in such United States District Court against each debtor jointly and severally for the amount above stated, together with interest and costs, and execution may be issued and payment secured as provided by the Federal Rules of Criminal Procedure and any other laws of the United States.

Eduardo Rodriguez
Defendant's Signature2450 SW 27 ST

Address

MIA

City

FL

State

33133

Zip Code

305-8603281

Area Code / Telephone Number

This bond is signed and acknowledged before me on July 27, 2001 at 231 W. Lafayette, Detroit, Michigan.

I hereby certify that the foregoing is a true copy of the original on file in this Office.

CLERK, U.S. DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN

Deputy Clerk

United States District Court

Eastern

DISTRICT OF

Michigan

UNITED STATES OF AMERICA

v.

ORDER SETTING CONDITIONS OF RELEASE

Eduardo Rodriguez

Case Number:

01-80664

Defendant

IT IS ORDERED that the release of the defendant is subject to the following conditions:

- (1) The defendant shall not commit any offense in violation of federal, state or local law while on release in this case.
- (2) The defendant shall immediately advise the court, defense counsel and the U.S. attorney in writing before any change in address and telephone number.
- (3) The defendant shall appear at all proceedings as required and shall surrender for service of any sentence imposed as directed. The defendant shall appear at (if blank, to be notified) _____

Place

on _____

Date and Time

Release on Personal Recognizance or Unsecured Bond

IT IS FURTHER ORDERED that the defendant be released provided that:

- (✓) (4) The defendant promises to appear at all proceedings as required and to surrender for service of any sentence imposed.
- () (5) The defendant executes an unsecured bond binding the defendant to pay the United States the sum of Ten Thousand dollars (\$ 10,000) in the event of a failure to appear as required or to surrender as directed for service of any sentence imposed.

U.S. DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN

[Signature]

Upon finding that release by one of the above methods will not by itself reasonably assure the appearance of the defendant and the safety of other persons and the community.

IT IS FURTHER ORDERED that the release of the defendant is subject to the conditions marked below:

() (6) The defendant is placed in the custody of:

(Name of person or organization) _____

(Address) _____

(City and state) _____

(Tel. No.) _____

who agrees (a) to supervise the defendant in accordance with all the conditions of release, (b) to use every effort to assure the appearance of the defendant at all scheduled court proceedings, and (c) to notify the court immediately in the event the defendant violates any conditions of release or disappears.

Signed: _____

Custodian or Proxy

Date

(X) (7) The defendant shall:

(a) report to the PRETRIAL SERVICES

telephone number _____, not later than _____

() (b) execute a bond or an agreement to forfeit upon failing to appear as required the following sum of money or designated property: _____

() (c) post with the court the following indicia of ownership of the above-described property, or the following amount or percentage of the above-described _____

() (d) execute a bail bond with solvent sureties in the amount of \$ _____

() (e) maintain or actively seek employment.

() (f) maintain or commence an education program.

() (g) surrender any passport to: _____

() (h) obtain no passport.

() (i) abide by the following restrictions on personal association, place of abode, or travel: _____

() (j) avoid all contact, directly or indirectly, with any persons who are or who may become a victim or potential witness in the subject investigation or prosecution, including but not limited to: _____

() (k) undergo medical or psychiatric treatment and/or remain in an institution as follows: _____

() (l) return to custody each (week)day as of _____ o'clock after being released each (week)day as of _____ o'clock for employment, schooling, or the following limited purpose(s): _____

() (m) maintain residence at a halfway house or community corrections center, as deemed necessary by the pretrial services office or supervising officer.

() (n) refrain from possessing a firearm, destructive device, or other dangerous weapons.

() (o) refrain from () any () excessive use of alcohol.

() (p) refrain from use or unlawful possession of a narcotic drug or other controlled substances defined in 21 U.S.C. § 802, unless prescribed by a licensed medical practitioner.

() (q) submit to any method of testing required by the pretrial services office or the supervising officer for determining whether the defendant is using a prohibited substance. Such methods may be used with random frequency and include urine testing, the wearing of a sweat patch, a remote alcohol testing system, and/or any form of prohibited substance screening or testing.

() (r) participate in a program of inpatient or outpatient substance abuse therapy and counseling if deemed advisable by the pretrial services office or supervising officer.

() (s) refrain from obstructing or attempting to obstruct or tamper, in any fashion, with the efficiency and accuracy of any prohibited substance testing or electronic monitoring which is (are) required as a condition(s) of release.

() (t) participate in one of the following home confinement program components and abide by all the requirements of the program which () will or () will not include electronic monitoring or other location verification system. You shall pay all or part of the cost of the program based upon your ability to pay as determined by the pretrial services office or supervising officer.

() (i) **Curfew.** You are restricted to your residence every day () from _____ to _____, or () as directed by the pretrial services office or supervising officer; or

() (ii) **Home Detention.** You are restricted to your residence at all times except for employment; education; religious services; medical, substance abuse, or mental health treatment; attorney visits; court appearances; court-ordered obligations; or other activities as pre-approved by the pretrial services office or supervising officer; or

() (iii) **Home Incarceration.** You are restricted to your residence at all times except for medical needs or treatment, religious services, and court appearances pre-approved by the pretrial services office or supervising officer.

(u) report as soon as possible, to the pretrial services office or supervising officer any contact with any law enforcement personnel, including, but not limited to, any arrest, questioning, or traffic stop.

() (v) _____

() (w) _____

() (x) _____

Report to Pretrial Services on FT Mandel
Fluenced on August 10, 2001

Advice of Penalties and Sanctions

TO THE DEFENDANT:

YOU ARE ADVISED OF THE FOLLOWING PENALTIES AND SANCTIONS:

A violation of any of the foregoing conditions of release may result in the immediate issuance of a warrant for your arrest, a revocation of release, an order of detention, and a prosecution for contempt of court and could result in a term of imprisonment, a fine, or both.

The commission of a Federal offense while on pretrial release will result in an additional sentence of a term of imprisonment of not more than ten years, if the offense is a felony; or a term of imprisonment of not more than one year, if the offense is a misdemeanor. This sentence shall be in addition to any other sentence.

Federal law makes it a crime punishable by up to 10 years of imprisonment, and a \$250,000 fine or both to obstruct a criminal investigation. It is a crime punishable by up to ten years of imprisonment, and a \$250,000 fine or both to tamper with a witness, victim or informant; to retaliate or attempt to retaliate against a witness, victim or informant; or to intimidate or attempt to intimidate a witness, victim, juror, informant, or officer of the court. The penalties for tampering, retaliation, or intimidation are significantly more serious if they involve a killing or attempted killing.

If after release, you knowingly fail to appear as required by the conditions of release, or to surrender for the service of sentence, you may be prosecuted for failing to appear or surrender and additional punishment may be imposed. If you are convicted of:

- (1) an offense punishable by death, life imprisonment, or imprisonment for a term of fifteen years or more, you shall be fined not more than \$250,000 or imprisoned for not more than 10 years, or both;
- (2) an offense punishable by imprisonment for a term of five years or more, but less than fifteen years, you shall be fined not more than \$250,000 or imprisoned for not more than five years, or both;
- (3) any other felony, you shall be fined not more than \$250,000 or imprisoned not more than two years, or both;
- (4) a misdemeanor, you shall be fined not more than \$100,000 or imprisoned not more than one year, or both.

A term of imprisonment imposed for failure to appear or surrender shall be in addition to the sentence for any other offense. In addition, a failure to appear or surrender may result in the forfeiture of any bond posted.

Acknowledgement of Defendant

I acknowledge that I am the defendant in this case and that I am aware of the conditions of release. I promise to obey all conditions of release, to appear as directed, and to surrender for service of any sentence imposed. I am aware of the penalties and sanctions set forth above.

~~2460 SW~~ 2460 SW 27 ST
 Signature of Defendant
 Address
MIA, FL 33133 395-8603281
 City and State Telephone

Directions to United States Marshal

- (X) The defendant is ORDERED released after processing.
 () The United States marshal is ORDERED to keep the defendant in custody until notified by the clerk or judicial officer that the defendant has posted bond and/or complied with all other conditions of release. The defendant shall be produced before the appropriate judicial officer at the time and place specified, if still in custody.

Date: July 27, 2001

Donna G. Cohen
 Signature of Judicial Officer

 Name and Title of Judicial Officer

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

**WAIVER OF RULE 40 HEARINGS
(Excluding Probation Cases)**

v.

CASE NO. 01-*90664*
ORIGINATING NO. 00-6360CR

EDUARDO VILAHO RODRIGUEZ,

Defendant.

I, EDUARDO VILAHO RODRIGUEZ, understand that in the Southern District of Florida (Ft. Lauderdale), charges are pending alleging violation of 18 U.S.C. Sections 371 and 659, and that I have been arrested in this District and taken before a United States Magistrate Judge who informed me of my right to:

1. Retain counsel or request the assignment of counsel if I am unable to afford one.
2. request transfer of the proceedings to this district pursuant to Fed. R. 20, in order to plead guilty.
3. Have an identity hearing to determine if I am the person named in the charge.
4. Have a preliminary examination (unless an indictment has been returned or an information filed) to determine whether there is probable cause to believe an offense has been committed by me; the hearing to be held either in this district or the district of prosecution.

I HEREBY WAIVE (GIVE UP) MY RIGHT TO A(N):

- ☒ identity hearing
☐ preliminary examination
☐ identity hearing and have been informed I have no right to a preliminary examination
☐ identity hearing but request a preliminary examination be held in the district of prosecution

and therefore, consent to the issuance of an order requiring my appearance in the prosecuting district where the charge is pending against me.

Miriam L. Lip
Counsel
Defendant
Date: 1/27/01

Eduardo Rodriguez
Counsel for Defendant

I warrant, certify that the foregoing is true copy of the original on file in this office.

CLERK, U.S. DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN

by *[Signature]*



UNITED STATES OF AMERICA

Case No: 01-80644

v.
Eduardo Rodriguez

APPOINTMENT OF FEDERAL DEFENDER OFFICE

☐ MULTIPLE DEFENDANT CASE

☐ DEFENDANT IN CUSTODY

☐ NON-ENGLISH SPEAKING

LANGUAGE: _____

VIOLATION: _____

CASE TYPE: _____

The defendant has qualified for the appointment of counsel under the Criminal Justice Act.

IT IS ORDERED that the Federal Defender Office, 22nd Floor, 2255 Penobscot Building, Detroit, Michigan 48226, telephone number (313) 961-4150, is appointed to represent this defendant in this case, unless the appointment is terminated by (1) Order of the Court, (2) appointment of substitute counsel, or (3) appearance of retained counsel.

NEXT COURT DATE: _____

Dated: 7/27/01

Donna G. Schen
United States District Judge/Magistrate Judge

AUSA Assigned: _____

PARTIAL PAYMENT ORDER

IT IS ORDERED that partial payment be made by the defendant in the amount of _____ monthly, commencing on _____, until this case is terminated or otherwise ordered by the Court. Payment shall be made to the **Clerk of the Court, Theodore Levin United States Courthouse, 231 W. Lafayette Blvd., Detroit, MI 48226.**

Defendant's Name, Address & Telephone Number:

United States District Judge/Magistrate Judge

Defendant's Signature

FINANCIAL AFFIDAVIT

CJA 23
(Rev. 5/98)

IN SUPPORT OF REQUEST FOR ATTORNEY, EXPERT OR OTHER COURT SERVICES WITHOUT PAYMENT OF FEE

IN UNITED STATES
IN THE CASE OF

☐ MAGISTRATE ☐ DISTRICT ☐ APPEALS COURT or ☐ OTHER PANEL (Specify below)

FOR

AT

LOCATION NUMBER

VS.

DOCKET NUMBERS

Magistrate

District Court

Court of Appeals

PERSON REPRESENTED (Show your full name)

EDUARDO RODRIGUEZ

- ☒ Defendant - Adult
☐ Defendant - Juvenile
☐ Appellant
☐ Probation Violator
☐ Parole Violator
☐ Habeas Petitioner
☐ 2255 Petitioner
☐ Material Witness
☐ Other (Specify)

CHARGE/OFFENSE (describe if applicable & check box)

- ☐ Felony
☐ Misdemeanor

ANSWERS TO QUESTIONS REGARDING ABILITY TO PAY

EMPLOYMENT	Are you now employed? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Am Self Employed
	Name and address of employer: <i>LEBACH Trucking - Miami FL</i>
	IF YES, how much do you earn per month? \$ <i>3500</i> IF NO, give month and year of last employment How much did you earn per month? \$
	IF married is your Spouse employed? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No IF YES, how much does your Spouse earn per month? \$ IF a minor under age 21, what is your Parents or Guardian's approximate monthly income? \$
OTHER INCOME	Have you received within the past 12 months any income from a business, profession or other form of self-employment, or in the form of rent payments, interest, dividends, retirement or annuity payments, or other sources? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
	IF YES, GIVE THE AMOUNT RECEIVED & IDENTIFY \$ THE SOURCES
CASH	Have you any cash on hand or money in savings or checking account <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No IF YES, state total amount \$ <i>0</i>
PROPERTY	Do you own any real estate, stocks, bonds, notes, automobiles, or other valuable property (excluding ordinary household furnishings and clothing)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
	IF YES, GIVE THE VALUE AND \$ DESCRIBE IT

DEPENDENTS	MARITAL STATUS <input type="checkbox"/> SINGLE <input type="checkbox"/> MARRIED <input type="checkbox"/> WIDOWED <input type="checkbox"/> SEPARATED OR DIVORCED	Total No. of Dependents <i>3</i>	List persons you actually support and your relationship to them	
DEBTS & MONTHLY BILLS (LIST ALL CREDITORS, INCLUDING BANKS, LOAN COMPANIES, CHARGE ACCOUNTS, ETC.)	APARTMENT OR HOME:	Creditors	Total Debt	Monthly Payt.
	<i>LEBACH</i>		\$ <i>10,000</i>	\$ <i>100</i>
	<i>Lebanon</i>		\$	\$ <i>500</i>
	<i>Utilities</i>		\$	\$ <i>100</i>

I certify under penalty of perjury that the foregoing is true and correct. Executed on (date) *7/26/01*

SIGNATURE OF DEFENDANT
(OR PERSON REPRESENTED)

Eduardo Rodriguez

U.S. District Court
for the Eastern District of Michigan (Detroit)

CLOSED

CRIMINAL DOCKET FOR CASE #: 01-M -80664-1

USA v. Rodriguez
Dkt# in other court: None

Filed: 07/27/01

EDUARDO VILAH0 RODRIGUEZ
defendant

Federal Defender's Office
[COR LD NTC pda]
2255 Penobscot Building
Detroit, MI 48826
313-961-4150

Pending Counts:

NONE

Terminated Counts:

NONE

Complaints

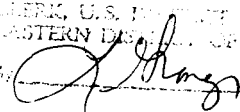
Disposition

18:371 and 659 CONSPIRACY TO
COMMIT OFFENSE OR TO DEFRAUD
UNITED STATES AND INTERSTATE
OR FOREIGN SHIPMENTS BY
CARRIER

COMMITMENT of defenant to the
Southern District of Florida
at Ft. Lauderdale at Grand
Rapids
(-1)

U. S. Attorneys:

Keith E. Corbett
[COR LD NTC aus]
United States Attorney's Office
211 W. Fort Street
Suite 2001
Detroit, MI 48226-3211
313-226-9100

I hereby certify that the foregoing is
a true copy of the original on file in the
Clerk's Office.
CLERK, U.S. DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN

Deputy

Proceedings include all events.
2:01m 80664-1 USA v. Rodriguez

CLOSED

- 7/27/01 1 PETITION by Keith E. Corbett for a removal hearing based on a warrant issued in the Southern District of Florida at Fort Lauderdale as to Eduardo Vilaho Rodriguez (1) count(s) cmp in violation of 18:371 & 659 (RJ) [Entry date 07/30/01]
- 7/27/01 -- APPEARANCE on Rule 40 by defendant Eduardo Vilaho Rodriguez before Magistrate Judge Donald A. Scheer, set unsecured bond in the amount of 10,000 with conditions - D/Atty: Miriam Seifer - AUSA: Keith Corbett - Tape # DAS 01-090 (RJ) [Entry date 07/30/01]
- 7/27/01 -- REMOVAL hearing waived as to defendant Eduardo Vilaho Rodriguez - Magistrate Judge Donald A. Scheer D/Atty: Miriam Seifer AUSA: Keith Corbett Tape #: DAS 01-090 (RJ) [Entry date 07/30/01]
- 7/27/01 2 ORDER by Magistrate Judge Donald A. Scheer appointing the Federal Defender Office to represent Eduardo Vilaho Rodriguez (lg) [Entry date 08/01/01]
- 7/27/01 3 WAIVER of rule 40 hearings by Eduardo Vilaho Rodriguez and attorney (lg) [Entry date 08/01/01]
- 7/27/01 4 ORDER by Magistrate Judge Donald A. Scheer as to Eduardo Vilaho Rodriguez, setting unsecured bond in the amount of 10,000 with conditions [EOD Date 8/1/01] (lg) [Entry date 08/01/01]
- 7/27/01 5 BOND as to Eduardo Vilaho Rodriguez in the amount of 10,000 unsecured entered (lg) [Entry date 08/01/01]
- 7/27/01 6 ORDER by Magistrate Judge Donald A. Scheer holding defendant Eduardo Vilaho Rodriguez to answer and appear in the Southern District of Florida at Ft. Lauderdale [EOD Date 8/1/01] (lg) [Entry date 08/01/01]